

IDAPA 16 - DEPARTMENT OF HEALTH AND WELFARE

16.03.22 - RESIDENTIAL CARE OR ASSISTED LIVING FACILITIES IN IDAHO

DOCKET NO. 16-0322-0901

NOTICE OF INTENT TO PROMULGATE RULES - NEGOTIATED RULEMAKING

AUTHORITY: In compliance with Sections 67-5220(1) and 67-5220(2), Idaho Code, notice is hereby given that this agency and the Board of Health and Welfare intend to promulgate rules and desire public comment prior to initiating formal rulemaking procedures. This negotiated rulemaking action is authorized pursuant to Section 39-3305, Idaho Code.

MEETING SCHEDULE: Public meetings on this negotiated rulemaking will be held as follows:

FRIDAY, APRIL 17, 2009 - 2:00 - 4:00 p.m.

FRIDAY, MAY 15, 2009 - 2:00 - 4:00 p.m.

**MEDICAID CENTRAL OFFICE
3232 Elder Street
Conference Room D-East
Boise, Idaho**

METHOD OF PARTICIPATION: Persons wishing to participate in the informal negotiated rulemaking must do one of the following:

1. Attend the negotiated rulemaking and participate in the negotiation process;
2. Provide oral or written recommendations, or both, at the negotiated rulemaking; or
3. Submit written recommendations and comments to the address below.

DESCRIPTIVE SUMMARY: The following is a statement in nontechnical language of the substance and purpose of the intended negotiated rulemaking and the principle issues involved:

Section 39-3303, Idaho Code, is being reviewed for amendments by the 2009 Legislature regarding payment levels for non-Department of Health and Welfare clients in a residential care or assisted living facility. These amendments will necessitate corresponding changes and clarification in this chapter of rules. The proposed changes to the statute will modify how private pay residents in a residential care or assisted living facility will be assessed for needs, services, and associated costs for services. The Department is entering into negotiations with interested stakeholders to clarify these rules regarding payment levels, the negotiated service agreement, the admission agreement, and notification of changes in services and costs due to changes in the resident's condition and needs.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS, OBTAINING COPIES: For assistance on technical questions concerning this negotiated rulemaking, contact Jamie Simpson at (208) 334-6626. Anyone may submit written comments regarding this negotiated rulemaking. All written comments must be directed to the undersigned and must be delivered on or before Friday, May 22, 2009.

DATED this 5th day of March, 2009.

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